

CHAPTER 211
FINANCIAL ASSISTANCE FOR THE COLLECTION OF HOUSEHOLD HAZARDOUS
MATERIALS AND HAZARDOUS WASTE FROM CONDITIONALLY EXEMPT SMALL
QUANTITY GENERATORS

567—211.1(455F) Purpose. The purpose of this program is to reduce the amount of hazardous materials disposed in Iowa's sanitary landfills, thereby protecting groundwater resources, the health and safety of Iowa citizens, and the environment.

The costs and accessibility of hazardous materials management can be improved by the establishment and maintenance of a system of regional collection centers (RCCs) for the safe and proper disposal of household hazardous materials and hazardous materials from conditionally exempt small quantity generators (CESQGs). Therefore, the department may provide financial assistance for costs associated with establishing RCCs, when such funding is available. The department may also provide financial assistance for ongoing disposal costs for RCCs and MUCCCs whether public agencies or eligible private agencies operate them, when such funding is available.

567—211.2(455F) Definitions. The definitions set out in Iowa Code section 455B.301 shall be considered to be incorporated verbatim in these rules. For the purposes of this chapter, these terms shall have the following meanings:

"Applicant for an RCC establishment grant" means a local government or a public agency representing local governments pursuant to Iowa Code chapter 28E.

"Conditionally exempt small quantity generator" or *"CESQG"* means a generator that in a calendar month generates no more than 100 kilograms of hazardous waste in that month and is further defined by 40 CFR 261.5.

"Department" means the Iowa department of natural resources.

"Eligible private agency" means a privately owned landfill, transfer station or citizen convenience center which acts as an RCC or MUCCC as part of an approved comprehensive plan pursuant to Iowa Code section 455B.306. The facility must either include hazardous waste collection activities in its SDP permit or have an RCC or MUCCC permit in accordance with the requirements of 567—Chapter 123.

"Financial assistance" means monetary assistance including grants, cash payments, or support by other financial means.

"Hazardous materials disposal costs" means costs incurred from a hazardous waste contractor for disposal of household hazardous materials and hazardous waste from conditionally exempt small quantity generators. Costs may include, but are not limited to, transportation to the hazardous waste contractor, incineration, fuel blending, hazardous waste landfilling, and waste profile testing. "Hazardous materials disposal costs" does not include transportation from a satellite to a main RCC facility, staff time, equipment, overhead costs, or costs to dispose of waste that is not HHM or a hazardous material.

"Hazardous waste contractor" means a private company that provides management (e.g., recycling, disposal) of hazardous waste in compliance with federal regulations. "Hazardous waste contractor" does not include regional collection centers.

"Household hazardous materials" or *"HHM"* means the same as defined in Iowa Code subsection 455F.1(4).

"Indirect costs" means costs that are not identifiable with a specific product, function or activity.

“Mobile unit collection and consolidation center” or *“MUCCC”* means a government agency or private agency under contract with a government agency as part of a solid waste comprehensive plan that provides HHM collection events at temporary sites. Collection events are held a minimum of 16 hours per month in each county served by the MUCCC. MUCCCs do not provide public access to a fixed facility. Materials collected are consolidated and stored for removal by a hazardous waste contractor. MUCCCs do not include RCCs that utilize a mobile collection unit along with access to a permanent facility.

“Overhead costs” means expenses not chargeable to a particular part of the work or product including, but not limited to, utilities and insurance.

“RCC mobile unit” means a truck or trailer belonging to a regional collection center that can be moved to different sites within a region. A mobile unit is used to perform collection events and to transport collected materials to the fixed RCC.

“Regional collection center” or *“RCC”* means a secured facility at which collection, sorting, and packaging of household hazardous materials and hazardous materials from CESQGs are accomplished prior to transportation of these wastes to the final disposal site. RCCs have regular hours during which the public may drop off hazardous materials. An RCC may be a government agency or a private agency under contract with a government agency as part of a solid waste comprehensive plan. RCCs are referred to as temporary collection sites in Iowa Code subsection 455F.8A(1).

“Staffing costs” means salaries and benefits related to payment of personnel.

567—211.3(455F) Role of the department. The department is responsible for the administration of funds for projects sponsored under this chapter. The department shall ensure that funds disbursed meet guidelines established by the groundwater protection Act (Iowa Code chapter 455E) and Iowa Code section 455B.484. An applicant for an RCC establishment grant under this chapter may submit any eligible project. The department shall determine which projects, if any, will receive funding after review of all applications.

567—211.4(455F) Funding sources. The department will use funds appropriated by Iowa Code section 455E.11(2) “a”(2)(d) to achieve the purpose of this chapter. The department shall ensure that moneys appropriated meet both federal and state guidelines pertaining to the use of the moneys.

567—211.5(455F) Eligible costs. An RCC applicant for an RCC establishment grant may request monetary assistance for the purpose of project development and implementation that includes funds for the following expense categories.

1. Materials and labor for construction, and the purchase cost of structures or mobile units, or both, to be used as an RCC, including but not limited to site excavation for the structure and modifications to control runoff.

2. A three-year education program for households and CESQGs within the RCC service area. Eligible education expenses may include but are not limited to:

- Supplies, including paper and postage.
 - The purchase of books, resource materials, slide shows, video materials, and other media for education of the local population or donation to local libraries or schools.
 - Fees for public service announcements.
3. Equipment relating directly to RCC operation.
4. First-year staffing costs.
5. Site and building design fees.
6. Computers and software used for tracking hazardous materials.

567—211.6(455F) Ineligible costs. RCC applicants for RCC establishment grants cannot request monetary assistance for the following costs:

1. Taxes.
2. Vehicle registration.
3. Indirect or overhead costs.
4. Legal costs.
5. Contingency funds.
6. Land acquisition.
7. Disposal of hazardous materials.
8. Office equipment.

567—211.7(455F) Criteria for the selection of an RCC establishment grant.

211.7(1) An applicant for an RCC establishment grant shall submit to the department a completed application and a comment form. The comment form shall be completed by the agency responsible for the submission of a solid waste comprehensive plan for the area in which the RCC will be established. The comment form shall be submitted to the department within seven days of the application deadline or points may be deducted by the department during the application review process.

211.7(2) The department shall coordinate the evaluation of proposals, and applicants will be awarded financial assistance based on selection criteria contained in the application form. Prior to receiving financial assistance from the department, applicants must obtain a regional collection center permit or amend the SDP permit of the host facility to include regional collection center activities.

211.7(3) Applicants shall submit a completed application on a form provided by the department and three photocopies, and shall address criteria in the order presented in the application and guidelines. An application that fails to address all of the criteria may not receive further consideration.

567—211.8(455F) Grant denial. An application may be denied for the following reasons, including but not limited to:

1. The applicant does not meet eligibility requirements pursuant to the provisions of this chapter.
2. The applicant does not provide sufficient information requested in the application proposal pursuant to this chapter.
3. The project goals or scope is not consistent with this chapter.
4. Funds are insufficient to award financial assistance to all qualified applicants.
5. The applicant has not met contractual obligations of previous grant awards.
6. The department received the application after the deadline stated in the application and guidelines.

567—211.9(455F) RCC and MUCCC household hazardous material disposal funding.

211.9(1) All RCCs and MUCCCs, whether they are operated by a public agency or an eligible private agency, may receive funding from the department to offset the cost associated with proper disposal of household hazardous waste. The source for this funding is described in Iowa Code section 455E.11(2)“a”(2)(d) and (e).

211.9(2) To be eligible to receive disposal-funding assistance, an RCC or MUCCC must:

- a.* Have hazardous materials removed by a licensed hazardous waste contractor.
- b.* Complete the hazardous materials collection semiannual report on a form supplied by the department.

c. Attach the hazardous waste contractor invoices depicting hazardous material types, net weight of hazardous materials, and associated management fees charged by the hazardous waste contractor.

d. Submit semiannual reports by September 1 for the portion of the fiscal year January 1 through June 30, and by March 1 for the portion of the fiscal year July 1 through December 31. Reports submitted after the due date without prior approval by the department are not eligible for reimbursement.

211.9(3) The fall payments will be based on the report due September 1 and on available funding. An RCC or MUCCC will receive a percentage of the available funding in an amount proportional to the amount of HHM the RCC or MUCCC disposed of through a hazardous waste contractor, as reported on the hazardous materials collection semiannual report form, compared to the total amount of HHM disposed of by all RCCs and MUCCCs. The fall payment shall not exceed total disposal costs for the reporting period.

The spring payments will be based on the total pounds reported for the calendar year and on available funding. An RCC or MUCCC will receive a percentage of the available funding for the calendar year minus the amount received for the fall payment, in an amount proportional to the amount of HHM the RCC or MUCCC disposed of through a hazardous waste contractor, as reported on the hazardous materials semiannual report form for the calendar year, compared to the total amount of HHM disposed of by all RCCs and MUCCCs. The spring payment shall not exceed an RCC's or MUCCC's total disposal costs for the calendar year.

These rules are intended to implement Iowa Code Supplement section 455F.8A and Iowa Code section 455F.8B.

- [Filed 2/26/93, Notice 12/9/92—published 3/17/93, effective 4/21/93]
- [Filed 10/22/93, Notice 8/18/93—published 11/10/93, effective 12/15/93]
- [Filed 9/19/97, Notice 7/16/97—published 10/8/97, effective 11/12/97]
- [Filed emergency 3/30/01—published 4/18/01, effective 3/30/01]
- [Filed 2/1/02, Notice 10/17/01—published 2/20/02, effective 3/27/02]
- [Filed 1/27/06, Notice 11/9/05—published 2/15/06, effective 3/22/06]

CHAPTER 212
LOANS FOR WASTE REDUCTION AND
RECYCLING PROJECTS
Rescinded IAB 2/20/02, effective 3/27/02